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Attorneys for Defendants
GRIST CREEK AGGREGATES, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

FRIENDS OF OUTLET CREEK,

Plaintiff,

vs.

GRIST CREEK AGGREGATES, LLC,

Defendant.

Case No. 4:16-CV-00431-JSW

**STIPULATION AND ~~PROPOSED~~
ORDER FOR CONTINUANCE OF
SETTLEMENT CONFERENCE AS
MODIFIED BY THE COURT**

Complaint Served: February 29, 2016

(Federal Water Pollution Control Act,
33 U.S.C. § 1251 *et seq.*)

1
2 Plaintiff FRIENDS OF OUTLET CREEK (“Plaintiff”) and Defendant GRIST CREEK
3 AGGREGATES, LLC (“Defendant”), by and through their respective counsel, hereby stipulate
4 and agree as follows:

5 WHEREAS, in its April 26, 2019 Civil Minute Order, the Court referred the parties to a
6 settlement conference before Judge Ryu. The Court required that the settlement conference be
7 completed by July 26, 2019 (Docket No. 92.)

8 WHEREAS, the settlement conference was set with Judge Ryu for July 12, 2019, at
9 10:00 a.m., at the U.S. District Court, 1301 Clay Street, Oakland, California 94612 (Docket
10 No. 94).

11
12 WHEREAS, on July 11, 2019, lead counsel for Defendant, Sean K. Hungerford, became
13 ill and is unable to attend the settlement conference scheduled for July 12, 2019.

14 WHEREAS, the parties agree that Mr. Hungerford’s presence at the settlement
15 conference would be critical to reaching resolution of this matter, given his intimacy with the
16 facts of the case and law(s) at issue.

17 ACCORDINGLY, the Parties stipulate as follow:

18
19 1. The Parties hereby stipulate to continue the scheduled settlement conference to
20 one of the following dates, to be chosen at Judge Ryu’s discretion:

- 21
22
 - July 23, 2019
 - July 24, 2019

23
24 IT IS SO STIPULATED.

25 //

26 //

27 //

28 //

//

Dated: July 11, 2019

GREENFIRE LAW

By: /s/ Rachel S. Doughty
Rachel S. Doughty
Attorneys for Plaintiff

Dated: July 11, 2019

ATA LAW GROUP

By: /s/ Jason R. Flanders
Jason R. Flanders
Attorneys for Plaintiff

Dated: July 11, 2019

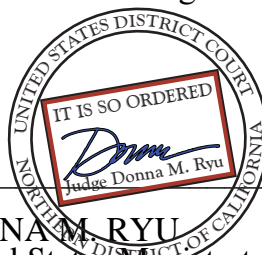
HARRISON, TEMBLADOR, HUNGERFORD &
JOHNSON, LLP

By: /s/ Sean Hungerford
Sean Hungerford
Attorneys for Defendant

ORDER APPROVING STIPULATION

Good cause appearing, IT IS HEREBY ORDERED that the settlement conference originally scheduled for July 12, 2019 is VACATED. The Court is not available on the dates proposed in the stipulation. The parties should seek relief from Judge Jeffery S. White to extend the settlement conference beyond the July 26, 2019 deadline for completion. Magistrate Judge Ryu's courtroom deputy will email parties proposed settlement conference dates once relief has been granted.

Dated: July 11, 2019



DONNA M. RYU
United States Magistrate Judge